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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

WILLIAM S. AHOLELEI,)	CASE NO. 03-00171 HG-KSC
)	
Plaintiff,)	DEFENDANT KAY BAUMAN,
)	M.D.'S CONCISE STATEMENT OF
vs.)	FACTS ; AFFIDAVIT OF KAY
)	BAUMAN, M.D.; EXHIBIT "A";
BARBARA KYSAR, DOCTOR S.)	AFFIDAVIT OF APRIL LURIA;
PADERES, DOCTOR BAUMAN,)	EXHIBIT 'B'; CERTIFICATE OF
DOES I-V,)	SERVICE
)	
Defendants.)	Trial Date: December 5, 2006
)	

306-072/p. Concise Statement.al

DEFENDANT KAY BAUMAN, M.D.'S
CONCISE STATEMENT OF FACTS

Pursuant to Local Rule 56.1, Defendant Kay Bauman hereby submits a

separate and concise statement of material facts not in dispute in support of her Motion for Summary Judgment which is filed contemporaneously herewith.

Support for each fact is provided in the Evidentiary Support column.


<u>Facts</u>	<u>Evidentiary Support</u>
Dr. Bauman presently is and has been the Medical Director of the State of Hawai'i Department of Public Safety (DPS) since July 1, 2002.	Affidavit of Kay Bauman, M.D. ("Bauman Affidavit")
As Medical Director of DPS, Dr. Bauman is responsible for administrative and managerial functions required for the operation of the medical units within the various prisons operated by the Department of Public Safety. Additionally, she provides direct medical treatments to inmates.	Bauman Affidavit
Plaintiff's first complaint of symptoms relating to his kidneys after Dr. Bauman began employment with DPS was on October 3, 2002. Plaintiff reported to Sick Call complaining of pain on his left side and urinary difficulty. A physical examination and urine analysis was conducted. Plaintiff was given Tylenol for pain and scheduled for a clinic evaluation.	Bauman Affidavit; Exhibit "A" at p. 506.
Dr. Bauman examined Plaintiff on October 4, 2002 and thereafter requested an ultrasound and urology consult if kidney stones existed.	Bauman Affidavit; Exhibit "A" at p. 506-507.

Dr. Bauman's request for ultrasound was approved on October 10, 2002 and Plaintiff underwent a CT scan for renal stone protocol on October 17, 2002. The CT scan revealed a left urethral obstruction calculus and bilateral renal calculi.	Bauman Affidavit; Exhibit "A" at p. 641.
On October 18, 2002 a request was made for the Plaintiff to have a urology consultation with David Kuchenbecker and an appointment was scheduled for October 28, 2002.	Bauman Affidavit; Exhibit "A" at p. 638.
Following his October 28, 2002 examination, Dr. Kuchenbecker recommended a ureteroscopy and lithotripsy. He recommended an ultrasound be conducted in the future.	Bauman Affidavit; Exhibit "A" at p. 638.
On October 31, 2002 the Special Utilization Review Process (SURP) committee approved Dr. Kuchenbecker's recommendation and on November 7, 2002, Plaintiff underwent a cystoureteroscopy, laser lithotripsy to break up the stones, a retrograde pyelogram and placement of a stent.	Bauman Affidavit; Exhibit "A" at pp. 502, 629-630 and Exhibit "B" at 009-010.
Plaintiff's next complaint of problems relating to his kidneys was on December 15, 2002. Plaintiff was provided with Advil and Motrin 600 mg for the pain. He was seen by a physician on December 19, 2002 at which time he was prescribed Motrin 800 mg and Keflex 500 mg.	Bauman Affidavit; Exhibit "A" at p. 738, 500.

On January 16, 2003 Plaintiff again complained of pain due to kidney stones and was seen by Dr. Young on January 18, 2003. Dr. Young prescribed Motrin 800 mg for 90 days and provided Plaintiff with a strainer to collect the stones for analysis, advising Plaintiff to increase his fluid intake. Dr. Young also requested a spiral CT scan which was performed on January 29, 2003.	Bauman Affidavit; Exhibit "A" at p. 498, 624-26.
On January 30, 2003 Dr. Bauman performed a chart review and requested a laser ureteroscopy which was performed on February 6, 2003.	Bauman Affidavit; Exhibit "A" at p. 965-66.
On February 26, 2003 Plaintiff was again examined by Dr. Kuchenbecker who prescribed medications to dissolve the stones with a follow up exam in three months.	Bauman Affidavit; Exhibit "A" at p. 618
On April 2, 2003 Dr. Bauman responded to Plaintiff's Grievances concerning his medical care, explaining that Dr. Kuchenbecker's recommendations were being followed and that Plaintiff would be scheduled for follow up three months following his last appointment of February 26, 2006.	Bauman Affidavit; Exhibit "A" at p. 477-477A.
On April 30, 2003 another CT scan was performed. On May 27, 2003 Dr. Bauman performed a chronic care visit and on May 28, 2003 Dr. Bauman requested the Plaintiff receive further consultation with Dr. Kuchenbecker.	Bauman Affidavit; Exhibit "A" at pp. 538-39; 937.

Consultation with Dr. Kuchenbecker could not be scheduled until July 29, 2003. On July 30, 2003 Dr. Kuchenbecker performed an extracorporeal soundwave lithotripsy on Plaintiff.	Bauman Affidavit; Exhibit "A" at p. 937; Exhibit "B" at p. 017
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DATED: Honolulu, Hawaii, JUL 31 2006.



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